

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CV-00282-FL**

THOMPSON AUTOMOTIVE LABS, INC.,

Plaintiff/Counter-Defendant,

v.

ILLINOIS TOOL WORKS INC.,

Defendant/Counter-Plaintiff

**ORDER ON DEFENDANT’S
CONSENT MOTION TO SEAL**

This matter is before the Court on Defendant’s Consent Motion to Seal (“Motion”). After considering the Motion and supporting memorandum, the Court **grants** the Motion.

Specifically, the Court finds that Defendant has demonstrated that Plaintiff’s Response in Opposition to Defendant’s Motion for Protective Order (“Plaintiff’s Response”) and Exhibit 1 to Plaintiff’s Response contain highly confidential, proprietary business information that merits protection under the Court’s Amended Protective Order, the disclosure of which would result in competitive harm to Defendant’s business; that the information at issue is not filed in connection with a dispositive motion and thus will not play a role in adjudicating the substantive rights of the parties at this time; that Defendant’s interest in maintaining confidentiality overcomes any presumption of public access under the First Amendment or common law; and that the public has not expressed any interest in the information at issue, and no party has objected to maintaining the documents under seal.

In addition, Defendant has further limited the amount of information that is not publicly available by submitting redacted versions of Plaintiff’s Response and Exhibit 1 to Plaintiff’s Response as an alternative to sealing them in their entirety.

Accordingly, it is ordered that Plaintiff's Response and Exhibit 1 to Plaintiff's Response filed provisionally under seal shall remain under seal. The redacted version of Plaintiff's Response and Exhibit 1 to Plaintiff's Response shall be filed in the public record.

This the 23rd day of February, 2018.

A handwritten signature in black ink, appearing to read "Louise W. Flanagan", is written over a horizontal line.

LOUISE W. FLANAGAN
United States District Judge